

# Notice of Allowability

Application No.

09/970,647

Examiner

Kelly L. Jerabek

Applicant(s)

FUKUOKA, HIROKI

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed 11/6/2007.
2. ☒ The allowed claim(s) is/are 17-25, 27-54 and 56-93.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☒ Certified copies of the priority documents have been received in Application No. 08/535,562.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_



LIN YE  
SUPERVISORY PATENT EXAMINER

## DETAILED ACTION

### *Allowable Subject Matter*

**Claims 17-25, 27-54 and 56-93 are allowed.**

The following is an examiner's statement of reasons for allowance:

Re claims 17-22, 25, 27, 29-51, 54, 56, 58-74 and 76-81, the prior art fails to teach or suggest, "A digital image capturing system including a digital image capturing device, comprising: a lens; an electronic image pick-up which receives images through the lens; a processor connected to the electronic image pick-up; a first input/output interface connected to the processor; a second input/output interface connected to the processor and configured to receive a card that stores a control program; and a memory configured to receive the control program from the card, wherein the processor is configured to control the card through the second input/output interface, and is configured to transfer the control program to the memory, the control program including a communication control program executable on the processor for controlling the first input/output interface **and wherein the communication control program is configured to enable communication with an external device through the first input/output interface, further comprising an input/output card, configured to be**

**connected to the second interface, which contains an input/output protocol controller”.**

Re claims 23 and 52, the prior art fails to teach or suggest, “A digital image capturing system including a digital image capturing device, comprising: a lens; an electronic image pick-up which receives images through the lens; a processor connected to the electronic image pick-up; a first input/output interface connected to the processor; a second input/output interface connected to the processor and configured to receive a card that stores a control program; and a memory configured to receive the control program from the card, wherein the processor is configured to control the card through the second input/output interface, and is configured to transfer the control program to the memory, the control program including a communication control program executable on the processor for controlling the first input/output interface, **and wherein the communication control program is configured to enable communication with an external device through the first input/output interface, wherein the second input/output interface is configured to receive a communication card that is a modem card”.**

Re claims 24 and 53, the prior art fails to teach or suggest, “A digital image capturing system including a digital image capturing device, comprising: a lens; an electronic image pick-up which receives images through the lens; a processor connected to the electronic image pick-up; a first input/output interface connected to the

processor; a second input/output interface connected to the processor and configured to receive a card that stores a control program; and a memory configured to receive the control program from the card, wherein the processor is configured to control the card through the second input/output interface, and is configured to transfer the control program to the memory, the control program including a communication control program executable on the processor for controlling the first input/output interface, **and wherein the communication control program is configured to enable communication with an external device through the first input/output interface, wherein the second input/output interface is configured to receive a communication card which is a local area network (LAN) card**".

Re claims 28 and 57, the prior art fails to teach or suggest, "A digital image capturing system including a digital image capturing device, comprising: a lens; an electronic image pick-up which receives images through the lens; a processor connected to the electronic image pick-up; a first input/output interface connected to the processor; a second input/output interface connected to the processor and configured to receive a card that stores a control program; and a memory configured to receive the control program from the card, wherein the processor is configured to control the card through the second input/output interface, and is configured to transfer the control program to the memory, the control program including a communication control program executable on the processor for controlling the first input/output interface **and wherein the communication control program is configured to enable communication with**

**an external device through the first input/output interface, further comprising an input/output card, configured to be connected to the second interface, having a communication a communication line connected thereto”.**

Re claim 75, the prior art fails to teach or suggest, “A digital image capturing system including a digital image capturing device, comprising: a lens; an electronic image pick-up which receives images through the lens; a processor connected to the electronic image pickup; at least two input/output interfaces connected to the processor, and at least one of the input/output interfaces is further configured to receive a control program stored on a card; a memory configured to receive the control program from the card though one of the input/output interfaces, wherein the processor is configured to transfer the control program to the memory through the one of the input/output interfaces and **execute the received control program in the memory to communicate with an external device through a different input/output interface in the at least two input/output interfaces that is different than the one of the input/output interfaces though which the control program is received”.**

Additionally, as a result of the terminal disclaimer filed on 2/7/2007 a double patenting rejection in view of US 5,754,227, US 6,104,430 and US 6,300,976 cannot be made.

Re claims 82-87, the prior art fails to teach or suggest, “A digital camera, comprising: a lens; an electronic image pick-up which receives images through the lens; a processor connected to the electronic image pickup; **a first input/output interface**

**connected to the processor and configured to receive through an external communication line a control program including instructions that are executable by the processor;** a second input/output interface connected to the processor and configured to be connectable to a removable memory card which stores images captured by the electronic image pick-up; **a memory configured to receive the control program from the first input/output interface and store the control program, wherein the processor is configured to execute the instructions in the received control program stored in the memory in order to control the digital camera**". Additionally, as a result of the terminal disclaimer filed on 2/7/2007 a double patenting rejection in view of US 5,754,227, US 6,104,430 and US 6,300,976 cannot be made.

Re claims 88-93, the prior art fails to teach or suggest, "A digital camera, comprising: a lens; an electronic image pick-up which receives images through the lens; a processor connected to the electronic image pickup; **a first input/output interface connected to the processor and configured to receive a control program including instructions that are executable by the processor;** a second input/output interface connected to the processor and configured to be connectable to a removable memory card, the second input/output interface being configured to write images captured by the electronic image pick-up in the removable memory card and configured to read a control program including instructions that are executable by the processor from the memory card; **a memory configured to receive the control program from**

**the first input/output interface and the second input/output interface, wherein the processor is configured to execute the instructions in the received control program stored in the memory in order to control the digital camera”.**

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

### ***Contacts***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kelly L. Jerabek whose telephone number is **(571) 272-7312**. The examiner can normally be reached on Monday - Friday (8:00 AM - 5:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lin Ye can be reached on **(571) 272-7372**. The fax phone number for submitting all Official communications is **(571) 273-7300**. The fax phone number for submitting informal communications such as drafts, proposed amendments, etc., may be faxed directly to the Examiner at **(571) 273-7312**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

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For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KLJ



**LIN YE**  
**SUPERVISORY PATENT EXAMINER**